Court No. 2

Civil Misc. Writ Petition No. 465 (M/B) of 2002.

Mukesh Kumar Mishra ……. Petitioner

V/s

G.B. Pant University of Agriculture
And Technology, Pantnagar
and others …….. Respondents

……

Hon'ble P.C. Verma,J.
Hon'ble M.M. Ghildiyal,J.

Heard Sri Mukesh Kumar Mishra, the petitioner, in person and Sri R.Dobhal, learned counsel for the respondent University.

This writ petition has been filed to command the respondent-G.B. Pant University of Agriculture and Technology, Uttaranchal, to admit the petitioner as he was eligible to be admitted. The admission to the petitioner was denied on the ground that he did not fulfil the condion 'b' contained in the Prospectus 2002-2003 for admission to Undergraduate, Master's and Ph.D. Programmes of the G.B. Pant University of Agriculture and Technology. Condition (b) reads as under:

> "(b) The candidates seeking admission to M.Tech Programme on the basis of Section A & B Examination of Engineering India(A.M.I.E.) are eligible to appear in the Engrtance Examination provided they have secured at least 55% marks in the above examination."

According to the learned counsel for the respondents, the petitioner has not passed A & B examination from the Engineering India (A.M.I.E.) which is located at Calcutta, therefore, he was not eligible to be admitted.

The petitioner appearing in person submitted that the Engineering India is a common name which includes all the professional engineering institutions. Therefore, the institution from which the petitioner has passed

is also covered under clause (b) and since the petitioner has passed section A and B examination from that professional institution i.e. Institution of Mechanical Engineering (India) situated at Bombay, he is fully eligible and entitled to be admitted.

Learned counsel for the G.B.Pant University of Agriculture and Technology invited our attention on para 13 of the Supplementary Counter Affidavit. which is reproduced as under:

> "That in reply to the contents of para 13 of the supplementary affidavit, it stated here that the prospectus, the Associate Members of Institution of Engineers(AMIE) is for Institution of Engineers(India), Calcutta, which is well recognized and high standard professional body of the country. The petitioner has not obtained the certificate from the said institution."

From the averments made as aforesaid, it is clear that A.M.I.E. is the Institution of Engineers (India) located at Calcutta and only that institution is recognised under the prospectus of G.B.Pant University of Agriculture and Technology, Pant Nagar, Uttaranchal and not any other institution. Since the prospectus was published and it was known to the petitioner also that he does not possess the qualification as required under clause (b) of the prospectus, therefore, he can not claim admission on the basis of parity in syllabus between the Insititution of Engineers(A.M.I.E.) at Calcutta and the Institution of Mechanical Engineers (India), Bombay. Syllabus may be the same. Since the G.B. Pant University of Agriculture and Technology has not recognized the said institution for the purpose of admission of candidates, on the basis of section 'A' and 'B' examinations of that institution, therefore, the petitioner can not be said to be eligible for admission. Therefore, we hold accordingly that the petitioner is not eligible for admission in M.Tech (Mechanical Engineering) in Design and Production Engineering in the G.B.Pant University of Agriculture and Technology, Pant Nagar.

The petition is dismissed. Interim order granted earlier is hereby discharged.

(P.C. Verma, J.) **(M.M. Ghildiyal, J.)**

Dt. 11.12.2002

A